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THE

AFRICAN'S RIGHT TO CITIZENSHIP.

I HELD it truth, with him who sings
To one clear harp in divers tones,
That men may rise on stepping-stones
Of their dead selves to higher things.
TENNYSON.

PHILADELPHIA :
JAMES S. CLAXTON,
SUCCESSOR TO
WILLIAM S. & ALFRED MARTIEN,
No. 606 CHESTNUT STREET.
1865.



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ANALYSIS.

THE RIGHT OF INDIVIDUALS OF ANY RACE, SUBJECT TO A WELL-DEFINED LIMITATION, TO INHABIT THE COUNTRY OF THEIR CHOICE.

THE INCONSISTENCY OF A DEMOCRACY WHICH EXCLUDES THEM FROM CITIZENSHIP FOR ANY OTHER CAUSE THAN THEIR INABILITY TO EXERCISE THE PRIVILEGE OF THE ELECTIVE FRANCHISE WITH DISCRETION.

THE CONCLUSION

APPLIED TO THE SITUATION OF THE AFRICAN RACE HERE, WHO, IN ADDITION TO THE PRIVILEGE FROM THE EXERCISE OF WHICH THEY HAVE BEEN DEBARRED, HAVE TWO NOTABLE CLAIMS UPON THE GRATITUDE OF THE AMERICAN PEOPLE, WHOM POLICY, AS WELL AS DUTY, SHOULD CONSTRAIN TO THE PERFORMANCE OF AN ACT OF LONG-DEFERRED JUSTICE.

THE AFRICAN'S RIGHT TO CITIZENSHIP.

THE recognition by law of the existence of negro slavery in connection with the form of government adopted by the United States, although in flagrant violation of Democratic principles, is in truth far less monstrous than the anomaly witnessed in the exclusion of individuals of the African race from all political rights, although they have for generations constituted a portion of communities which abolished slavery.

It is too much to expect of any people after a political convulsion like that which accompanies the attainment of their independence, that any species of injustice of which, under another form of government, they had been oblivious, should become suddenly revealed to them. Nor is it to be expected of that portion of a people who are nurtured and educated amidst the influences of slavery, that they should not only deny its pernicious tendency, but seek its extension.

It is remarkable, however, that the effect of the compulsory degradation of the African race should extend, after the lapse of many years, to the erroneous ideas which are entertained by free populations, which, for a long period, have neither tolerated slavery among themselves, nor recognized the justness of the institution anywhere. They have placed in the position of freemen under a democratic government, men to whom they deny the privilege belonging to freemen under a democratic government.

The inconsistency of these acts can be explained upon no other hypothesis, than that the baleful influences of slavery continue to cloud the reason of the people, so that their perception of justice is only partial.

As the belief is common to the mass of whites in the north, that the blacks are living among them merely by sufferance, and that, without the shadow of wrong, they might become subject to general deportation, it will be necessary, before proceeding to an examination of the question as to the right of the blacks to citizenship, to investigate the question, Whether they have the right of mere inhabitation of the country.

It is not uncommon to find men generally well-

informed, who answer this question in the negative. Although these persons would not probably counsel going to the length of compulsory measures, their belief in the absence of any right to inhabitation of the country by the blacks, finds a milder expression in the charge that the blacks manifest want of self-respect in showing no disposition to emigrate in a body. This latter opinion is not strange, if the first is not strange, for it is the logical consequence of their belief. It involves, however, the injustice of expecting that the action of the very people in whom they acknowledge no elevation, should exhibit sentiments to whose acquisition views corresponding with their own must have tended to place a serious impediment. Grant for a moment, that self-respect ought to dictate to the blacks that they should quit a country where they and the whole of their race are despised, in what particular has the treatment which they have received been conducive to the cultivation of the sentiment? Is it fair to expect of people that they shall be possessed of that from which they have been excluded? Is it just that of all others, it should be exacted by those by whom they have been defrauded? Or, will it be asserted, that self-respect among a people is independent of all extraneous circumstances?

Take the strongest case that can be imagined in favour of such a supposition. If a race, universally acknowledged to be capable of high development, were to be placed with another superior to it in present culture, and assuming superiority by nature, and then taught by unequal laws, and by the daily gibes of the populace, that it must always occupy an inferior position because it was ordained of God, by what possible stretch of the imagination could it be expected that that race should acquire general self-respect? Is there no moral in the tale of Hans Andersen, where the queer fledgling, hatched among the eggs of a duck, despised and beaten by his companions, believes in his own ugliness and deformity, but one day joins another flock of birds and finds in them his brother-swans?

These observations are not to the purpose, except inasmuch as it is proper to show in what manner this subject is burthened with false ideas. The subject before us is that of a right. If the blacks have no right of inhabitation here, let it be proved. If they have that right, it is not to be expected that they should relinquish their claim to the enjoyment of it, because their presence may not be agreeable to others. A person might sacrifice that claim to his own feeling of preference. But it would be pre-

posterior to demand that he should sacrifice it to the feeling of others.

I am not by any means convinced that it is incumbent upon the blacks to leave the country, in deference to the feeling of the whites. On the contrary, if they believe in their right as native-born inhabitants of the soil, or as human beings, to live wheresoever it pleases them, self-respect, so far from constraining them to leave the country, would lead them to stay and endeavor to obtain the acknowledgment of their due.

The question is not whether some mode might not be devised, by which the whole difficulty resulting from the presence of the blacks would be obviated. Undoubtedly, the only mode to preclude the consideration of duty, is general colonization. But that is disposing of the obligation by evading it. That plan takes into consideration only the feeling of the whites, and ignores any examination as to the rights of the blacks. It is true that the former do not know that their feeling has no basis in justice, but actually believe that it is founded upon a possession of the country so complete as to enable them, if they feel disposed, to make colonization compulsory.

Yet they cannot with justice make colonization compulsory. Nor have they any reason to expect from

the self-respect or from any other sentiment of the blacks, except that of prudence, that they should leave the country. The plan can be properly urged upon them only as a measure of policy, and if not urged beyond that point, the measure is advisable, as well as unobjectionable. But when people deny their right to inhabitation of the country, and assert that their residence here is by sufferance of the whites, it betrays great ignorance of the tenure upon which all human beings are inhabitants of the earth, as well as disregard of the moral obligations attached as a consequence of the act by which the blacks became inhabitants of this land.

The people cannot maintain that the presence of the blacks is objectionable upon the same score as that of the Indian, whose mode of life requires a vast extent of area, to enable a few individuals to procure a scanty and precarious subsistence, where many times their number might be bountifully supported by developing the productiveness of the soil. If this was the mode of life attempted by the blacks of the United States, their case would be subject to the same natural law which renders it proper not to respect the vast and comparatively useless possessions of Indian tribes. Thinkers have agreed that no people have the right to reserve for purposes of

waste, what mankind would otherwise convert to those of usefulness. But, in the case of any people, whether they are the natives of a country, or whether they immigrated to it, their right of inhabitation, within the limits of not trenching on the rights of others, is indefeasible.

The blacks among us are a civilized race. It is true that their enlightenment is inferior to ours, but it is so in degree, not in kind. Their hopes and aims in this life, their aspirations for the next, are identical with our own. And it is a subject for serious consideration, how much their present inferiority is owing to our own conduct.

There is a prescriptive title vested in all human beings to dwell on any portion of the globe which may suit their pleasure or convenience. And there is only one limitation to the exercise of this right. It is where it comes in conflict with the supreme law of self-preservation acted upon by others. This requires that immigrants should be rejected from a country which is populated to the limit of the productiveness of the soil. Indeed, it is not to be maintained that their rejection would not be justifiable, even at a time when no immediate danger could be anticipated, and when, from an accession to the population, danger was apprehended for the future.

If what has been here asserted, is acknowledged by the reason, from what circumstance can it be argued that the black race are to be considered as an exception to the law? I shall not insult my readers by supposing that any among them deny that the blacks belong to the human family. If they are conceded to be a portion of it, they are entitled to the right which I have claimed for them as denizens of the earth. They are entitled to the rights of all other races. They are entitled to them neither in greater nor in less degree, but to the same rights, and to them in the same degree.

A people can justly impose the condition of knowledge as the precursor of the privilege of sharing in the administration of affairs. But there is no amount of ignorance in a race which would warrant their exclusion or their removal from a country. Ignorance can be no obstacle to the inalienable right of man to inhabit the land of his predilection.

Subject to the limitation defined, man has a right to seek his habitation where it best pleases him. If this natural right is perceived, by how much will it be more generally recognizable that he has a claim to residence in the country of his birth. The right of inhabitation being inherent in the indi-

vidual, I speak not of the acknowledgment of others as strengthening or weakening it,—it is impossible to do that; but I speak of circumstances which render the right more apparent. And I will add yet another. The right of man to dwell in the country of his choice being evident, his right to dwell in the country of his birth must be so. What then shall we say of that case in which his present abode is the result of the compulsory removal of his ancestors by the ancestors of another people? Such is the situation of the black race in the United States!

They do possess the right of inhabitation in the United States. Colonize them if they wish to go, but you cannot deny that, if they choose, they have the right to stay.

Having disposed of that branch of the subject which relates to the right of the blacks of the United States to inhabitation of the soil, let us investigate the grounds upon which they are entitled to the privilege of citizenship. This question could not be entered upon until the other was disposed of, because to those who did not believe that the blacks had even the right of inhabitation in the United States, it would have been folly to attempt to prove that they have claims to citizenship.

That a democracy should exclude the ignorant from a voice in the government, whether they are composed of whites or blacks, or of any race, is reasonable. It should constitute itself the judge of the fitness of individuals to exercise their judgment in suffrage. The different laws for naturalization, after various periods of probation, have been the expression of this right which may be regarded as inseparable from a democratic government, because its exercise may be necessary to the very preservation of the government itself. The exercise of the power derived from this right is applicable to native-born citizens as well as to people of foreign birth.

But the exclusion of a *race* from political rights cannot be justified by the principles of Democracy, unless it can be proved that the whole of the race are unable to attain the enlightenment which serves the purpose of native-born citizens, or ensures the acceptance of a class belonging to other races. Yet it is as a whole race, and not as an ignorant class, that the blacks have been generally excluded.

Under a limited monarchy, this state of affairs would not be indefensible; for however limited the powers of that sort of government might be, they are not so immediately derived from the people, as

in a government like ours. The theory of our form of government does not recognize differences either in individuals or in races. It is based upon belief in the capability of human beings to govern themselves through their appointed agents. To maintain with consistency that the whole of the blacks should be excluded from the rights of citizenship in the United States, it should also be asserted that the whole of them are incapable of the attainment of the degree of enlightenment ~~usual~~ in Americans, or presumed to be exacted from foreigners by the requirement of a period of probation. Consistency requires this, but justice requires more. To exclude the blacks from the rights of citizenship for any other cause than their inability to comply with these conditions, is a violation of the principles of Democracy.

The theory of our form of government not only does not recognize differences in favor of certain races, but our Government itself, as constituted, does not recognize them. The recognition and protection of slavery, as a part of the compact between slaveholding and non-slaveholding communities, was the acknowledgment of the existing condition of certain individuals of a particular race. It was by no means tantamount to the admission that these indi-

viduals, their descendants, or others of the same race, were, under all other circumstances, to be considered incapable of becoming citizens of the Republic.

Because slavery was accepted and recognized by law, it does not follow that all individuals of the black race are to be excluded from rights which were incompatible with one great wrong. Slavery belonged to the States, not to the Government of the United States. But even had it belonged to the United States, not by the recognition of a deplorable evil already existing, but as a grievous departure from Democratic principles, it could not affect the rights of individuals, when their *status* as slaves had ceased to exist. That these rights are in certain States believed to appertain to them as freemen, is proved by their having been invested with the elective franchise. That it has not yet been possible for others among them to obtain it, has been owing to no impediment placed in the way by the original formation of the Government, for to the States themselves has always belonged the power of conferring citizenship.

Have we been carrying out the principles of Democracy, or have we been carrying them out with abatement? The common views in reference to the

blacks, are similar to those which have for ages induced men bitterly to oppose, when inuring to the good of others, the very principles for which they themselves have strenuously done battle. Such is the selfishness of our nature, that we are blinded to the existence of rights in others, from the moment in which we ourselves enter into full possession of them. The tardy and incomplete justice which is now being rendered to the blacks, is the fruit, not chiefly of enlightened reason, but of urgent necessity. These views, which are common, even at the present time, to a comparatively limited number, are not expressed so late because they are new to the mind of the writer, but because, for the first time in the history of our country, it is possible to obtain an audience. If the people have progressed no farther on any subject than the point where they are willing to listen and reflect, at least one great stride has been made. It is a condition of mind necessary to the acquisition of any knowledge. It is especially requisite when the difficulty in appealing to the reason is complicated by the existence of prejudice.

Every one who claims to be imbued with the principles of Democracy must accept all the consequences of his creed. That the free blacks of the United States have been generally excluded from

the privilege of citizenship on account of the feeling against their race, is amply proved by the extremely favorable contrast which they afford when compared with many foreigners who are allowed the benefit of naturalization. These, when they have had the privilege of the elective franchise bestowed upon them, have often proved their utter unworthiness of it, either by a turbulence without bounds, or by a slavish subserviency in the leash of unscrupulous politicians, who could hound them at the throat of the Nation. I do not ascribe this brutalized condition as the fault of these people. We daily witness that no people are capable of greater development. Their condition has often been immeasurably worse than that of the Southern slaves. It is not of their own making. We cannot blame them for it. I would not wish them excluded from citizenship, when they are fitted to exercise its privileges. But my sense of justice revolts, when I see them accepted as citizens because they are white, and the blacks rejected because they are black.

It is unfair to include the free blacks in the United States in the same category with the ignorant among the foreigners who emigrate to our shores. They will bear comparison with large numbers of persons born and bred in our country. It would be

✕ unfair, too, to judge them by the criterion of the well-educated, cultivated, and refined of this country. I make the comparison fairly, when I place them side by side with those with whom they have had similar opportunities for improvement. A severer test than this should not be demanded. In fact it is too severe, when it is recollected that they are shut out from many avenues of exertion, where they might show their ability if they had the chance to exercise it.

Everything which the blacks display the power to accomplish, is set down to their capacity for imitation. When propriety in their dress or demeanor is conceded, their merit is not granted. When whites dress well, no detraction is made because it is the result of successful imitation. Yet it is just as much imitation in the one case as in the other. Dress has never ceased to be regarded among whites as in some degree indicative of the character of individuals. Its propriety in reference to their means, its cleanliness, the manner of wearing it, are all thought to give some indication of individual character. All these peculiarities, when noted in the dress of the blacks, are called the results of imitation. The same assertion is made in reference to their manners.

Suppose that they are both imitations, and they are nothing more, wherein does the imitation of whites differ; and if it does not differ, wherein lies its merit as contradistinguished from the imitation of the blacks. Every successive season discards men's garments and provides them with others so unlike, and yet all identical, that it seems as if Nature periodically destroys an ancient race and furnishes a new model of a man. Women copy each other to the twist of a ribbon and the floating of a curl.

What are the best manners of whites, but the result of imitation of the best manners of other whites? What are their worst manners, but the result of imitation of the rude ways of the social sphere in which they move? In all classes of society, whites plume themselves upon their dress and manners, and both are nothing but the result of imitation,—close, involuntary imitation.

If success in the attempt at imitation is deserving of praise in the one case, must it not be so in the other? Is it not then additionally laudable in the blacks that they always choose the best models?

As I do not believe that successful imitation of manners and dress should be the summit of human desire, I do not claim much for the blacks on that

account. I have merely answered one of the most common of the observations which consign all that the blacks have shown that they can do, to the lowest faculty possessed by human beings.

Where, I ask, will it be conceded that credit may be given to them, not in virtue of their imitative powers, but as intelligent beings? Are their intellects, their moral traits, their homes, all faintly modelled from those of a superior race? Visit them in their homes. I have seen them there in almost every State in the Union. I have seen them free and enslaved, in various degrees of freedom and in various degrees of slavery. I have never observed that they did not render their condition all of which it was susceptible.

Select some of the houses among any of the classes comprised by the population of free blacks in our cities (for among them, as among whites, there are various degrees of elevation), and compare them with the houses of whites who possess the same advantages. It will not be found that in cleanliness, in propriety of any kind, they will suffer by comparison. Is this effect owing solely to the imitative faculty?

Go a step farther. Listen to the conversation of these people with each other. Do you not find that

their views are as enlarged as it is possible for them to be, with the lights which have been vouchsafed? The expression of thought cannot be imitation. There, at least, what appears must be individuality. A man may repeat common-places, as a parrot speaks by rote, but a man cannot reason by rote: least of all reason well, and this the blacks do. The basis of the reasoning has been learned. So has that of the best thinkers in the world. What are the views of any man but the standard around him, modified to a certain degree by the circumstances of his individual life, by his personal experience, and by the peculiarity of his own mind?

There is only one quality which is generally conceded to the blacks, and that is the loftiness of their moral nature. Men are so eager to grant this quality, that they sometimes go so far as to assert that in it, the blacks are superior to whites. From whence is derived this strange eagerness in men who deny them all intelligence?

From time immemorial man has ever taken more pride in the possession of intellect than in that of moral attributes. He hastens to concede to others what he himself does not estimate highly, that he may with better grace deny those qualities in which he exults. That whites are intellectually superior, may

or may not be a fact; but the proof of it cannot be afforded by admitting that another race possesses a superior moral nature, which they may or may not possess.

High moral qualities do not preclude the co-existence of the highest mental endowments. We find both in the same individual, as we also find them separately, or find neither. Because an individual has an elevated moral nature, it does not follow, *à fortiori*, that his intellectual grade is not equally elevated. It cannot be predicated of the presence of one attribute of his nature that another must be proportionally lacking. The admission of the superiority of moral traits in the blacks, overshoots the mark. If the blacks are superior to whites in moral attributes, why then would they not necessarily make *better* citizens.

I have noticed in detail the arguments commonly used to prove the inferiority of the blacks, and I shall now advert to one, which, although not aimed at them, is generally employed in the same connection. This is the *argumentum ad hominem*, which, when applied to this subject, consists in asserting that the consequence of advocating the political equality of the blacks is the recognition of the expediency of their intermarriage with the whites.

Put in the most condensed form, it generally takes this expression: "Would you permit your daughter to marry a negro?"

It is hard to conceive of a more entire misunderstanding of anything about which human beings may hold different opinions, than that illustrated by this view of the subject. Political and social equality are two essentially different states. Political equality exists in this country between individuals of the white race. But neither in this country nor in any other, does social equality exist. Nor can it ever exist, unless there occur a change in the nature of man, which now and always has led him to aggregation with those only with whom he holds the same general views, feelings, likings, and desires. Because I advocate the political equality of my white butcher, or baker, or candle-stick maker, does it follow that I should be willing to marry his daughter, or find it agreeable that he should marry mine? Then, why should it be represented as the consequence of maintaining the justice of granting political equality to the blacks, that all who agree with those views should be in favor of amalgamation? The whole world over, intermarriage is the effect of social condition.

The last argument has a reserved fire. "If," say

its employers, "you think that under a democratic form of government the blacks should be allowed equal rights with the whites, and they should raise themselves in the social scale, and should also prove themselves the intellectual equals of the whites, upon what ground could you prevent them from intermarriage with whites, even of the greatest refinement, for then the only difference existing between them would be that of color?"

This line of argument is enough to make the very angels weep! I advocate political equality for all races, and I am called upon to make a supposed case, which the proposer himself believes can never be realized, in order that it may be proved that there is danger of amalgamation. This exceeds the laws of debate. One can hardly be called upon to disprove a conclusion deduced from premises which an opponent deems impossible of realization; for, in this case, he believes that the blacks will not ever give evidence of intellectual equality, or ever be able to acquire social elevation. Unfair as the question is, I accept its solution, to show how slender is the foundation of the arguments used to confound the advocate of equal rights for all men.

Neither intellectual equality nor social equality involves the right of intermarriage, even with indi-

viduals of the same race. There is no *right* of intermarriage. Individuals, intellectually and socially equal or unequal, can contract marriage with each other, but they cannot demand it. Inequality of many kinds is generally an obstacle to their availing themselves of the privilege. But equality comprises no more than the privilege dependent upon mutual consent. A man has no right to marry a woman, as long as she chooses to exercise her right to refuse him. The blacks could not claim as their privilege, what whites could deny as their right. If it suited the pleasure or convenience of individuals of the two races to intermarry, it would be within their own province to determine what concerns their own affairs. There is no necessary connection between the highest elevation of the blacks and their intermarriage with whites. In fact, the common sentiment of beauty entertained among whites, unchanged for ages, and probably unchangeable, would place an insuperable obstacle to such a result.

Is it a necessary condition of according justice, that all contingencies in a perhaps impossible future shall be examined? From my own present standpoint of reason and feeling, I am averse to the intermarriage of whites and blacks. But in what way can I know how much is reason, and how much

is prejudice, in the formation of the opinion as to its inadvisability? The best which any one can do, is to grant that part of justice which is perceived, and leave the future in the hands of Providence.

There are some points beyond the every-day arguments against the blacks. It is the prevalent opinion, even among whites of cultivation, that the black race are inferior to them in intellectual power. Yet, is it not evident that this belief may be the effect of prejudice, and that it may be an error? The race, as a race, have never had an opportunity to make progress in civilization. It is only among multitudes of the human family, under favourable circumstances, that mind has a chance for development. Think what at one time was the mental condition of our vaunted Saxon forefathers!

The cases of intellectual development in individuals, and those of failures as communities, have never been fairly considered. One of the most frequently cited cases of the latter is that of San Domingo. The whole history of the West India Islands shows that the blacks there had not a fair opportunity of elevating themselves. When, in places, they did at last have a chance, it was after the whites had reduced them to a state which rendered them incapable of rapid amelioration. If

any one wishes to understand why San Domingo has not materially advanced, it will only be necessary to study the internal condition of that island before the blacks became free. Toussaint, the only man capable of directing affairs, was removed from the people at a time when they were in most urgent need of his abilities.

It must not be forgotten that Liberia is successful.

In reference to the fact that intellectual excellence in certain individuals would seem to indicate that the whole race to which they belong, are not incapable of high development, even scantier justice has been done. You may cite the fact that the father of Dumas was a mulatto, and that Dumas and his son are both men of talent; or the case of the astronomer Banneker of this country, or that of Toussaint, or that of many others, foreigners and native-born, you are always met by the reply that these are exceptions. An intellectual black is never considered more than a *lusus nature*.

Are not all superior men, of any race, exceptions; and, considering the difficulties under which the blacks have laboured, ought not some allowance to be made for the fact that the exceptions are not more numerous? How many more exceptions will be required to show that there

is something more in the brain of the black race than the amount of intelligence for which they generally gain credit?

A *lusus naturæ* is a single production. Nature never produces two of the same kind, and her freaks are confined to the body—at least with whites. Deformity is the characteristic of such productions, not excellence in the noblest attribute of man.

I admit that I believe the blacks to be at present intellectually inferior to the whites; and, moreover, that they will always continue to be so. But there is not evidence sufficient to warrant an assertion that it is proved. The opportunities which they have had, have been so limited, that they cannot be considered to have tested their capacity for development. What the future, with freedom, the effects climate, food, and a thousand other influences, may bring forth, who dares decide? Observe, what a transformation climate and some of these influences have already effected in the very physical conformation and color of the man who is still of pure African descent. None of us can say how much of his belief on the question of relative natural powers of the races, is formed by prejudice, and how much by reason.

That which can be established, is a sufficiency

of mind to make the blacks fit to share in the privileges of our Government. If their moral traits are as elevated as every one seems disposed to acknowledge, that alone would compensate for the absence of great intellect. But why should we require in them what we do not demand of others? We do not exact great mental endowments from the mass of our voters. We suppose them to be of ordinary intelligence, and at least ordinary intelligence the blacks possess.

And now for the claims which they have upon our gratitude.

Is it a privilege to defend a land, in which the act of defence is its own reward? Are the hazards of a soldier's life more for his own benefit than for those whom he protects? Two hundred thousand men of every shade of color, stand between the enemy and the country of our birth,—their country, too, but not their home! It is *our* home which they defend! And it is our home which they have, in great measure, made what it is. Who, for a wretched pittance,—mere life and bread, have extracted from our soil a great portion of that wealth which forms our national prosperity? The blacks! “And yet,” I hear some one say, “although they may have served us well, as slaves and soldiers,

7 they might ruin us as citizens." Aye! if they
were made citizens merely because they were once
slaves or soldiers! They have no such claim upon
our gratitude. Make them citizens when, by their
elevation, they are fit to become citizens. Require
X of them no less than you ask of the whites, but do
not demand more.

